

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

June 4, 2013

Lyle W. Cayce  
Clerk

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No. 12-40793  
c/w No. 12-40794  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

DEMETRICK LEON SMITH,

Defendant-Appellant

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Appeals from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:97-CR-157-5

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Before KING, CLEMENT, and HIGGINSON, Circuit Judges.

PER CURIAM:\*

Demetrick Leon Smith appeals orders of the district court denying him a reduction in sentence pursuant to 18 U.S.C. § 3582(c)(2) and denying his motion to order the name on his judgment of conviction be changed to Abduss al-Muqtaidir-Sabir Abdullah, the name Smith adopted pursuant to his Islamic faith. The Government moves for summary affirmance or, in the alternative, for an extension of the time to file a brief. Smith makes no arguments as to the

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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order denying § 3582(c)(2) relief and has waived any challenge to that order. *See United States v. Green*, 964 F.2d 365, 371 (5th Cir. 1992).

While we recognize that Muslim prisoners may adopt new names, we find no error in the district court's denial of the motion to change Smith's committed name. *See Felix v. Rolan*, 833 F.2d 517, 518-19 (5th Cir. 1988).

**MOTION FOR SUMMARY AFFIRMANCE GRANTED; AFFIRMED.**